



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,542	11/22/2000	Glenn F. Evans	MSI-707US	2661

22801 7590 11/15/2004

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER

TRAN, THAI Q

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/721,542	Applicant(s) EVANS, GLENN F.	
	Examiner Thai Tran	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 7-11 and 13-17 have been renumbered 6-15.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sawabe et al (US 6,122,434) in view of Wugofski (US 2003/0035007).

Regarding claim 1, Sawabe et al discloses, in a system comprising a multimedia player application operatively configured to interface with a multimedia navigator program (Figs. 16-17), a method comprising:

causing the multimedia player application to identify the availability of a parental level change feature (col. 18, lines 64 to col. 18, line 9); and

upon finding a need for a parental level change, causing the multimedia navigator program to pause and blocking playback of corresponding media content unit

Art Unit: 2616

the multimedia player application indicates that it accepts an appropriate requested parental level (col. 18, lines 11-25). However, Sawabe et al does not specifically disclose at least one application programming interface and that the causing step is to the at least one application programming interface.

Wugofski teaches a convergence system having application programming interfaces for easily and quickly adapting the system to the new devices (page 1, paragraph #0004 and page 2, paragraph #0016).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the application programming interfaces as taught by Wugofski into the DVD player in order to provide a modular architecture that enables rapid, easy and relatively bug-free development of convergence systems.

Regarding claim 2, Sawabe et al also discloses the claimed wherein the media content includes digital versatile disc formatted content (col. 1, lines 14-22).

Regarding claim 3, Sawabe et al discloses the claimed wherein the multimedia player application presents a user interface seeking authority to set the appropriate parental level while the media content is paused (col. 18, line 64 to col. 19, line 25).

Regarding claim 4, Sawabe et al discloses the claimed wherein upon the acceptance of the appropriate parental level, the paused media content continues playback without restarting from a previously played portion of the media content (col. 18, line 64 to col. 19, line 25).

Regarding claim 5, Sawabe et al discloses the claimed wherein the media content includes selectable multiple segments, each being associated with a parental

Art Unit: 2616

level, and wherein the multimedia navigator program is configured to suggest an appropriate segment upon encountering multiple segments during playback to the multimedia player application (col. 12, lines 25-37 and col. 18, line 64 to col. 19, line 25).

The computer-readable medium claim 6 is met by the system controller 100 and the RAM 100a of Fig. 16 and the same reasons as discussed in claim 1 above.

Claims 7-10 are rejected for the same reasons as discussed in claims 2-5 above.

Regarding claim 11, Sawabe et al discloses a system (Figs. 16-17) comprising:

a multimedia player application (DVD 1 of Fig. 16, col. 15, lines 24-27);

a multimedia navigator program (a system controller 100 of Fig. 16, col. 15, lines 31-48); an interface (col. 18, line 64 to col. 19, line 25) configure to operatively interface the multimedia player application with the multimedia navigator program, and wherein the multimedia player application is configure to identify to the interface the availability of a parental level change feature and upon finding a need for parental level change the multimedia navigator program pauses and blocks playback of corresponding media content until the multimedia player application indicates that it accepts the requested parental level. However, Sawabe et al does not specifically disclose at least one application programming interface (API).

Wugofski teaches a convergence system having application programming interfaces for easily and quickly adapting the system to the new devices (page 1, paragraph #0004 and page 2, paragraph #0016).

Art Unit: 2616

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the application programming interfaces as taught by Wugofski into the DVD player in order to provide a modular architecture that enables rapid, easy and relatively bug-free development of convergence systems.

System claims 12-15 is rejected for the same reasons as discussed in the corresponding method claims 2-5 above.

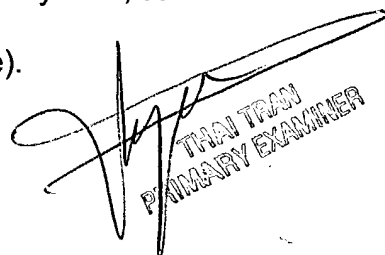
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to DVD player.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



THAI TRAN
PRIMARY EXAMINER